

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KR CITRUS, INC., Plaintiff, v. DANDREA PRODUCE, LLC, Defendant.	Case No. 1:21-cv-00811-NONE-SAB ORDER DISCHARGING OCTOBER 28, 2021 ORDER TO SHOW CAUSE (ECF Nos. 16, 18)
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Plaintiff KR Citrus, Inc., filed this action on May 19, 2021, against Dandrea Produce, Inc. (ECF No. 1.) Following a continuance, the mandatory scheduling conference was scheduled in this matter for October 28, 2021. (ECF Nos. 3, 9.) The parties filed their joint scheduling report on October 22, 2021. (ECF No. 13.) On October 28, 2021, the Court held the mandatory scheduling conference. Michael Smith appeared on behalf of Plaintiff. No counsel for Defendant Dandrea Produce, LLC, appeared at the scheduling conference. On October 28, 2021, the Court issued an order requiring Defendant’s counsel to show cause why sanctions should not issue for the failure to appear. (ECF No. 16.)

On November 1, 2021, Defendant's counsel filed a response to the order to show cause. (ECF No. 18.) Counsel proffers that he had hearings scheduled for the same date in other matters, and that when a notice of a continuance in one matter was emailed to him, counsel inadvertently deleted the calendar entry for the scheduling conference in this matter. (*Id.*) The

1 Court finds good cause to discharge the order to show cause based on counsel's proffer.

2 Accordingly, IT IS HEREBY ORDERED that the October 28, 2021 order to show cause
3 (ECF No. 16) is DISCHARGED.

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5 IT IS SO ORDERED.

6 Dated: November 2, 2021


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100 UNITED STATES MAGISTRATE JUDGE